REMARKS

Reconsideration of this application, as amended, is respectfully requested. The foregoing amendments to claims 1, 8, 15, 20, 24 and 27 are supported by specification as filed, for example at ¶¶ 0023 - 0024, 0026, 0036, 0040 and 0043; no new matter is added by way of these amendments.

1. Claims 24-27 recite Statutory Subject Matter.

The rejection of claims 24-27 under 35 USC 101 is moot in view of the foregoing amendments to the specification.

2. The Present Claims are Patentable Over Marler.

Marler, US PGPUB 2001/0003212, describes a mechanism for transmitting ancillary information and information used to identify the ancillary information along with video data. However, unlike the systems and methods recited in the present claims, Marler does not teach nor suggest creating one or more customized, personalized or targeted integrated video data stream by integrating two-way interactive content with an unmodified video data stream in response to one or more business or personalization rules.

In the scheme described by Marler, a single integrated video stream is provided to all receivers. That stream is not personalized or customized or targeted in any way. Instead, Marler leaves it to individual viewers to decide whether or not to access the ancillary information and provides indicators in the stream to assist in such decision making. For example, and notwithstanding the comments in the Office Action, at 3:31-33, 3:35 and Fig 3, Marler indicates that through means of indicative icons, users can be advised that certain content is available, so that the viewer can make decisions about whether or not to access that content. These indicative icons are inserted based on the content of ancillary information and not on any business or

personalization rules. Providing ancillary information that may allow a certain segment of a viewing audience to make more informed program viewing decisions should not be rationalized as integrating that content in response to one or more business or personalization rules. Indeed, the content is integrated independently of the ultimate viewer decision. Hence, the integration does not follow the decision, the decision follows the integration. The processes are fundamentally different and distinct and one does not suggest the other. Accordingly, all of the present claims are patentable over Marler.

3. The Present Claims are Patentable Over Mao.

Mao, US Patent 6459427, describes a one-way broadcasting system which receives data from the Internet and transmits that data through a digital TV network to receivers. However, Mao neither teaches nor suggests creating one or more customized, personalized or targeted integrated video data stream by integrating two-way interactive content with an unmodified video data stream in response to one or more business or personalization rules, as presently claimed. Instead, Mao is concerned primarily with one-way interactivity, not two-way interactivity, as presently claimed. Mao 2:37-43. "MORECAST service is a one-way Webcasting service" Mao 2:48-50. Further, personalization is done outside of the broadcasting of television content: "Statistically, many users may want to access a different subset of the real time information during specific viewing period. This information is also associated with each MPEG TV program but may not be synchronized with TV content." Mao at 3:28-32. Thus, Mao does not teach or suggest creating one or more customized, personalized or targeted integrated video data stream by integrating two-way interactive content with an unmodified video data stream in response to one or more business or personalization rules and so all the present claims are patentable over Mao.

For at least the foregoing reasons, the present claims are patentable over the cited references. If there are any additional fees due in connection with this communication, please charge our deposit account 19-3140.

Respectfully submitted,

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